
Introduced by Senator Lowenthal

January 20, 2005

An act to amend Section 1369 of the Health and Safety Code, relating to health care service plans.

LEGISLATIVE COUNSEL'S DIGEST

SB 108, as introduced, Lowenthal. Health care service plans: procedures for participation by subscribers and enrollees.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. Existing law requires a health care service plan to establish procedures to permit subscribers and enrollees to participate in establishing the plan's public policy, as defined, and specifies that compliance with the federal Health Maintenance Organization Act of 1973 is deemed sufficient compliance with that requirement.

This bill would delete the provision making compliance with the Health Maintenance Organization Act of 1973 sufficient compliance.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1369 of the Health and Safety Code is
- 2 amended to read:
- 3 1369. Every plan shall establish procedures to permit
- 4 subscribers and enrollees to participate in establishing the public
- 5 policy of the plan. For purposes of this section, public policy
- 6 means acts performed by a plan or its employees and staff to
- 7 assure the comfort, dignity, and convenience of patients who rely

- 1 on the plan's facilities to provide health care services to them,
- 2 their families, and the public.
- 3 ~~Compliance with the requirements of the Health Maintenance~~
- 4 ~~Organization Act of 1973 (42 U.S.C. 300e et seq.) shall be~~
- 5 ~~deemed sufficient compliance with this section.~~